

Magistrate Judge Hon. Gabriel W. Gorenstein
U.S. District Court for the Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007
Via pro se electronic filing

Re: Case No.: 23-cv-09648-JGLC-GWC Goodman v the City of New York et al

April 28, 2024

Dear Judge Gorenstein,

I write to clarify some substantial confusion that may have been introduced by my previous letter and to seek guidance from the Court with regard to what appears to be an oversight or clear error. On April 22, 2024, I sent a letter to Your Honor seeking an extension of time to respond to the City of New York defendants' motion to dismiss. I sought this extension because new information I received on April 22, 2024, as referenced in my previous letter, gave rise to a Rule 11 safe harbor notification, which I sent to Ms. Anderson that same day. The letter identified deeply troubling issues with the filing that require immediate rectification to comply with FRCP Rule 11. The twenty-one-day safe harbor period will expire on May May 13, 2024.

In its previous order, the Court did not address this Rule 11 safe harbor notification or my intention to file a motion seeking sanctions against the City of New York defendants and their counsel if the defects are not rectified on or before May 13, 2024. It is my understanding that any discussion with the Court relating to the specific details contined in the safe harbor notification prior to the twenty-one-day period elapsing would preclude my ability to file a motion seeking sanctions and so I have avoided doing so at this time.

In view of the serious nature of this matter, I respectfully request the Court hold the time to respond in abeyance pending resolution of this Rule 11 issue. If the New York City

Defendants choose to resolve the issues raised, their current motion to dismiss would be rendered moot. Should Defendants choose to file an amended motion that resolves the issues, I request thirty days from the time of that new filing to respond. In the event that Defendants choose not to address these issues, I will submit a motion seeking rule 11 sanctions on May 14, 2024. In that event, I request my time to respond to the existing motion to dismiss be extended until after the Court has ruled on the proposed May 14, Rule 11 motion.

Answering Defendant's existing motion on or before May 1, 2024, as Your Honor's most recent order requires, would effectively deny my motion for Rule 11 sanctions before the twenty one day safe harbor period has expired, before Defendants have resolved the identified defects, before any Rule 11 motion has been filed, and before the Court has had an opportunity to review the proposed motion for Rule 11 sanctions. This would effectively deny my rights and does not appear to be the intention of Your Honor's previous order.

I write seeking reconsideration of this oversight and the order (Dkt. 99) and I respectfully request that the Court stay the time for me to respond, pending the response from Defendants or until the Court has ruled on the motion seeking sanctions should they fail to respond to the safe harbor notification. My motion for sanctions pursuant to FRCP Rule 11 will be filed on May 14, 2024, should defendants fail to rectify the identified defects.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Goodman', with a stylized flourish at the end.

Jason Goodman

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

23-cv-09648-JGLC-GWC

-----X
JASON GOODMAN,

Plaintiff,

-against-

**CERTIFICATE OF
SERVICE**

THE CITY OF NEW YORK and NEW YORK CITY
POLICE DEPARTMENT, NEW YORK CITY MAYOR
ERIC ADAMS, NEW YORK CITY POLICE
DEPARTMENT LIEUTENANT GEORGE EBRAHIM,
NEW YORK CITY POLICE DEPARTMENT OFFICER
CHANDLER CASTRO, NEW YORK CITY POLICE
DEPARTMENT OFFICER JENNIFER CARUSO, NEW
YORK CITY POLICE DEPARTMENT OFFICER
KELVIN GARCIA, JOHN DOE 1, JOHN DOE 2, JOHN
DOE 3, JOHN DOE 4, JANE DOE, (fictitious names
intended to be officers, representatives, agents, servants of
the New York City Police Department, individually and in
their official capacities, ELON MUSK, X CORP, ADAM
SHARP.

Defendants.

-----X
It is hereby certified that pro se plaintiff, Jason Goodman, served counsel for
Defendants the City of New York, X Corp and Adam Sharp with a copy of the letter requesting
reconsideration to the addresses below:

maanders@law.nyc.gov
ktrujillo-jamison@willenken.com
pshimamoto@willenken.com
jtmills@grsm.com
BMiddlebrook@grsm.com

Dated: New York, New York April 28, 2024

Respectfully submitted,



Jason Goodman
Pro Se Plaintiff

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